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Attorney Docket No.: 03932.P007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Julian Sinai, et al.

Serial No.: 09/412,050

Filing Date: October 4, 1999

For: TOOL FOR GRAPHICALLY DEFINING
DIALOG FLOWS AND FOR
ESTABLISHING OPERATIONAL
LINKS BETWEEN SPEECH
APPLICATIONS AND HYPERMEDIA
CONTENT IN AN INTERACTIVE
VOICE RESPONSE ENVIRONMENT

Examiner: Knepper, D.

Group Art Unit: 2654

Confirmation No.: 9159

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RESPONSE TO FINAL OFFICE ACTION

Sir:

In response to the Final Office Action mailed on June 4, 2003, please reconsider
the present application in view of the following remarks.

Applicants would like to thank the examiner for the courtesy shown during the
telephonic interview between the examiner and the undersigned on June 16, 2003,
during which the examiner's and applicants' interpretations of the cited art were
discussed. Agreement was not reached.

Applicants respectfully traverse the rejections, for the reasons set forth in Applicants previous response filed on February 6, 2003, which is incorporated herein by reference in its entirety.

For purposes of the current rejections, claim 1 is exemplary of Applicants' Independent claims. Claim 1 recites:

1. A computer-implemented graphical design tool configured to allow a user of a computer system to graphically create an operational link **between a hypermedia page and a component defining a spoken dialog interaction** between a person and a machine.
(Emphasis added.)

The cited references do not disclose or suggest what is claimed, either in combination or individually.

On page 7 of the Final Office Action, the examiner states:

The applicant's statements regarding the rejection . . . Indicates failure to consider the prior art as applied since it clearly shows the claimed subject matter. . . . By definition, "hypermedia" includes text, graphics, audio or video as well as other combination(s) of data on a computer. Also, by definition, "a web page" is a hypermedia document as viewed through a World Wide Web browser. Final Office Action, p. 7.

Applicants do not understand why the examiner has focused on the meaning of the term "hypermedia". Applicants have not taken any position regarding whether the cited references disclose/suggest "hypermedia". Applicants do not believe that issue is relevant to their arguments or to the application of the cited art to the claimed invention, as explained further below.

Although Applicants' arguments are directed to the cited combination of references, it is useful to first consider their individual disclosures, in order to ascertain what combination (if any) could be made from them.

Marx, the primary reference, discloses a graphical user interface that can be used select and graphically link together "dialogue modules" to define a call flow. Marx further discloses that a computer system 300 can be connected to the Internet via an Internet Services Provider (ISP). Marx at col. 6, lines 1-8; Figure 3. However, in no way would it be obvious to one skilled in the art, based on a mere general disclosure of Internet connectivity such as found in Marx (or even a general disclosure of accessing hypermedia pages, assuming Marx provided it), to create operational links between a hypermedia page and a component defining a spoken dialog interaction, or to provide a tool that allows this. It must be recognized that there is a vast difference between using software that connects to a web page versus using software to create an operational link between a dialog component and a web page.

Even if Marx specifically disclosed accessing web pages from a computer system 300, such disclosure still could not lead one of ordinary skill in the art to the idea of creating operational links between a hypermedia page and a component defining a spoken dialog interaction between a person and a machine. Marx and the present application are not directed to solving the same problems. The present invention is directed to, *inter alia*, enabling someone graphically to enable a speech application to access web site data, or to "speech-enable" a web site. See, e.g., Applicants' specification at p. 7, lines 9-12. Marx does not even hint at either of these objectives, or at any corresponding solution. "[T]he examiner must show reasons that the skilled

artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed." In re Rouffet, 149 F.3d 1350, 1357 (Fed. Cir. 1998). Marx simply provides no motivation to make a graphical design tool that allows creation of operational links between a hypermedia page and a component defining a spoken dialog interaction between a person and a machine.

Likewise, Butler also provides no suggestion of the aforementioned claim feature and, in fact, adds nothing to Marx that is relevant to the present invention. Butler discloses an application development tool that enables a developer to remotely design a telephone application for a call handling server. Butler teaches that the application designer 32 can be obtained by the user by downloading it from a web site. Butler, col. 4 lines 54 et seq; col. 5 lines 53-68. Applicants do not dispute that a web site or web page represents hypermedia. However, the mere disclosure of the ability to connect a browser to a web site and to download software from the web site has nothing to do with, and provides no suggestion of, the ability to create an operational link between a hypermedia page and a component defining a spoken dialog interaction. As with Marx, Butler does not address the problems of enabling someone graphically to enable a speech application to access web site data, or to "speech-enable" a web site. Thus, Butler also provides no suggestion to combine its teachings with Marx, nor does it provide any suggestion of the claimed invention.

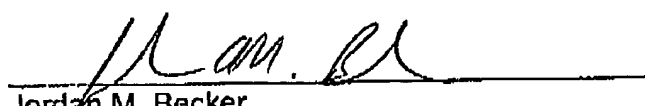
Thus, no combination of the teachings of Marx and Butler can disclose or suggests all of the limitations of claim 1. Therefore, claim 1 and all claims which depend on it are patentable over the cited art.

The remaining independent claims include limitations substantially similar to those in claim 1 mentioned above (as well as additional limitations) and are therefore patentable over the cited art for substantially similar reasons (at least) to those stated above.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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